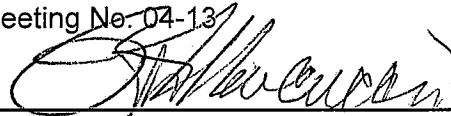
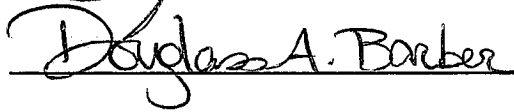


APPROVED: Meeting No. 04-13

ATTEST:

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND

October 1, 2012

7:00 p.m.

Meeting No. 31-12

Re: Executive Session pursuant to Sections 10-508 (a)(3) and 10-508 (a)(5) of the State Government Article of the Annotated Code of Maryland to consider the acquisition of real property for a public purpose and matters directly related thereto and to consider the investment of public funds (Fireside Park Apartments).

The Mayor and Council met in Executive Session on October 1, 2012, at 6:02 p.m. in the Diamondback Terrapin Conference Room, City Hall, 111 Maryland Avenue, Rockville, Maryland

Councilmember Newton made the motion to convene in Executive Session and it was seconded by Councilmember Pierzchala and unanimously passed.

Present at the Executive Session were Mayor Phyllis Marcuccio, Councilmember John F. Hall, Jr., Councilmember Tom Moore, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala. Also present were City Manager Barbara Matthews, Assistant City Manager Jenny Kimball, City Clerk/Treasurer Doug Barber, City Attorney Debra Daniel, Director of Community Planning and Development Services (CPDS) Susan Swift, Director of Finance Gavin Cohen, and Mr. Robin Williams with Transwestern.

The topic of discussion was Rockville Housing Enterprises (RHE) acquisition of Fireside Park Apartments.

The Mayor and Council adjourned the Executive Session at 6:50 p.m.

PRESENT:

Mayor Phyllis Marcuccio, Councilmember John F. Hall, Jr., Councilmember Tom Moore, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala.

STAFF PRESENT:

City Manager Barbara Matthews, City Clerk/Treasurer Doug Barber, and City Attorney Debra Daniel.

1. Convene

The Mayor and Council convened in a regular meeting at 7:00 p.m. on Monday, October 1, 2012, in City Hall, 111 Maryland Avenue, Rockville, Maryland.

2. Pledge of Allegiance

Mayor Marcuccio led the Pledge of Allegiance.

3. Agenda Review

City Clerk Barber noted that Attachment B for Item # 7 (Charter Review Commission Update) was available at the dais and has been posted on the City's website. He also noted that Attachment B for Item # 12 (Adoption of Resolution to Designate Barbara Matthews as City Manager) has been updated and is available at the dais and has been posted on the City's website.

4. City Manager's Report

Mayor Marcuccio introduced the new City Manager, Barbara Matthews. City Manager Matthews thanked the City of Rockville for the opportunity to be the new City Manager noting how thrilled she was to be on board and thanked the Mayor and Council for their patience. Ms. Matthews stated that over the next few months she hoped to meet many members of the community.

City Manager Matthews thanked Jenny Kimball for all her work as Acting City Manager and for keeping things in good shape. Ms. Matthews went on to give the City Manager's Report noting the following items: (1) Opening of the 2012 Rockville University sessions; and (2) the October issue of Rockville Reports would be delivered to homes this week.

Mayor Marcuccio went on to mention that Dawson's Market opened to a lot of fanfare on Friday, September 28, 2012. Mayor Marcuccio encouraged all to visit.

5. Appointments/Reappointments and Announcement of Vacancies

Mayor Marcuccio announced the appointment of Gregory Hazlet as a member of the Retirement Board until October 1, 2015.

Motion: To appoint Gregory Hazlet to the Retirement Board as a member until October 1, 2015.

Moved by Councilmember Hall, seconded by Councilmember Moore and unanimously approved.

Councilmember Moore noted he had been asked by one of the Commissions to make an announcement that the Rockville Sister City Corporation was having a German American Day at Clyde's Tower Oaks on Sunday, October 7, 2012, and advised those interested to contact Mr. John McLaren.

Mayor Marcuccio read the vacancies for the following Boards and Commissions: Human Rights Commission, Human Services Advisory Commission, Planning Commission, Sign Review Board, and Traffic and Transportation Commission. Mayor Marcuccio closed by encouraging residents to visit the City's website for information on how to apply.

6. Chamber of Commerce Update

Andrea Jolly, Director of the Rockville Chamber of Commerce, addressed the Mayor and Council thanking the City for funding the Rockville Rewards Program and announcing that \$5,000 was raised for local non-profits during the Chamber's kick-off event. Ms. Jolly thanked the City for its work with changes to the sign ordinance and noted a committee was being formed to make additional changes and will bring those recommendations back to the Mayor and Council the first of the year.

Andrea Jolly mentioned that the Chamber was aware and watching closely that staff have been asked to look at the feasibility and legality of a text amendment to revise the Zoning Ordinance to give authority to members of the Mayor and Council for development in Town Center. Ms. Jolly also stated the Chamber was pleased to be helping the City recruit sponsors for the dinner honoring the delegation from Jiaying and announced that the Chamber would be one of the sponsors by participating and providing some financial assistance.

Andrea Jolly concluded by inviting the Mayor and Council to attend some of the Chamber's events.

7. Charter Review Commission Update

Chair Steve VanGrack provided an update on the work of the Charter Review Commission to the Mayor and Council. Mr. VanGrack recognized Virginia Onley and Joe Jordan from the Charter Review Commission who were present. The goals of the Commission have been provided to the Mayor and Council:

- Increasing City participation in our government
- Promoting City governance that listens, represents and responds

- Effective City governance that reflects and serves the needs of our growing diverse population
- Encourage, bring forth, develop and facilitate new civic leadership

Chair VanGrack wanted to thank Communications Manager Marylou Berg for all of the publicity the Commission has received. Chair VanGrack announced the first of five Public Town Hall meetings will begin on Tuesday, October 2, 2012, and provided the dates, locations, and time of the meetings. He noted that the Commission has focused on those issues the Mayor and Council wanted the Commission to focus on and he noted they would also be looking at:

- The issues of the election
- 2 year or 4 year term for the Mayor and Council
- Number of members of the Council
- Should there be geographical representation
- Should elections be held in odd years or even years
- Should there be partisan or non-partisan elections
- Full time Mayor, full time members of the Council
- New types of voting such as online voting, voting by mail

Steve VanGrack concluded with noting that the Commission would come back to the Mayor and Council after the Town Hall meetings and give them the Commission's recommendations.

Councilmember Newton thanked Mr. VanGrack for all the work the Commission is doing and questioned the due diligence and research and if the Commission was receiving all the information necessary. Steve VanGrack stated that the City Attorney, City Clerk and staff have been wonderful and the Commission has had opportunities to get information from the National League of Cities, Maryland Municipal League and other authorities.

8. Citizens' Forum

<i>Citizen</i>	<i>Issue</i>
Virginia Onley	Welcomed new City Manager on behalf of the Americana Center Community and offered an invitation to their HOA meetings
Joe Jordan	Welcomed new City Manager, Fireside Park Apartments, and outdated HOA list

9. Mayor and Council's Response to Citizen's Forum and Announcements

Councilmember Newton	Thanked City Clerk Doug Barber for his work getting RHE Information all in one location on the website.
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10. Presentation of Mayor's Summit in Jiaying

Councilmember Pierzchala led a presentation by Rockville's delegation about the trip to China and the Mayor's Summit. Councilmember Pierzchala represented Mayor Marcuccio at the Summit and was accompanied by Bing Huang representing Sister City Corporation, Paul Newman representing the business community, and Jim Wasilak representing the City government. Councilmember Pierzchala provided an overview of the trip through pictures and noted some of the highlights of the trip. He closed noting that the delegation from China would be visiting Rockville in November where a dinner would be scheduled at VisArts.

11. Briefing by Metropolitan Washington Council of Governments (COG) Staff on Region Forward, Activity Centers Map and Other Initiatives

Dave Robertson, Executive Director of the Metropolitan Washington Council of Governments (COG), along with Paul DesJardins, Director of Community Planning and Services of the Metropolitan Washington Council of Governments, gave a briefing to the Mayor and Council.

Mr. Robertson noted that COG worked with a lot of the local government emergency agencies during the recent derecho and COG did a "best of lessons learned" where they took what different communities were doing to examine ways to improve. He noted the Verizon 911 outage that affected most of Northern Virginia and not so much in the Rockville area. Mr. Robertson stated COG is working with Verizon, the State and Federal Regulatory agencies and have made good headway on the takeaways such as why did it happen, what can be done to prevent it happening in the future, and how can COG make sure local governments have a stronger voice concerning this issues.

Mr. Robertson mentioned a report that the Board of Directors adopted at its July meeting that is a real blueprint for the organization called Economy Forward and stated that some things have been changed as a result of the Federal Government, which has served our region well. Through the Report, COG is using a portion of each Board meeting to be forward leaning, to think about those things that might affect Rockville's communities and layout options by working with business leaders, community leaders, economic development and planning staff, transportation, etc.

Mr. Robertson noted that COG has brought forward to the Mayor and Council a draft of COG's updated Regional Activities Centers' map and the Mayor and Council would see a reboot of the Regional Activities Centers to make it align with the Region Forward compacting goals and handed the presentation over to Paul DesJardins. Mr. DesJardins provided an overview of the Region Forward Coalition and gave a brief presentation on the Activities Center update that was approved in 2006. He closed by responding to questions posed by the Mayor and Council.

Councilmember Hall commented that in COG's study of affordable housing, Rockville's Planning Commission and staff just completed a housing scan for Rockville in June of 2012 that is a very enlightening piece and may be useful. Councilmember Hall inquired if there was a sense of

expiration dates on the policies relevant to determining if something meets the core attribute. Mr. DesJardins responded that the Map is an advisory document and envisions updates on an annual basis.

Councilmember Hall further inquired if there was any relevance to school capacity in aligning growth with major infrastructure in COG's consideration for that concept. Mr. DesJardins responded that school capacity is not specifically addressed but there are goals pertaining to education and educational attainment.

Councilmember Newton asked if any thought was given to what the Activity Centers would mean to a municipality in a financial arena or policy making. Paul DesJardins responded that they would like to think these are areas were priority investments might otherwise occur.

Mayor Marcuccio noted she had the feeling that the list was a wish list instead of a reality list, in particular in the Rockville sense, and wondered what other jurisdictions thought and asked if that same comment might have been received from any other group. Mr. DesJardins responded they had not and stated they see the document as a living, breathing process. Mayor Marcuccio closed by thanking both Mr. Robertson and Mr. DesJardins for their presentations.

12. Adoption of Resolution to Designate Barbara Matthews as City Manager

Motion: To adopt resolution to designate Barbara Matthews as City Manager.

Moved by Councilmember Hall, seconded by Councilmember Newton, and unanimously approved.

13. Adoption of Resolution to Amend Resolution No. 4-12 Designating Branch Banking and Trust Company (BB&T) as the Custodian for Funds of the City of Rockville so as to Modify the Authorized Signatories

Motion: To adopt resolution to amend resolution No. 4-12 designating Branch Banking and Trust Company (BB&T) as the Custodian for Funds of the City of Rockville so as to modify the authorized signatories.

Moved by Councilmember Moore, seconded by Councilmember Pierzchala, and unanimously approved.

14. Consent Agenda

A. Adoption of Resolution to establish a money purchase retirement plan with ICMA-RC for the new City Manager.

B. Approval of Minutes

April 30, 2012

Meeting No. 17-12

May 7, 2012

Meeting No. 18-12

Motion: To approve the Consent Agenda.

Moved by Councilmember Hall, seconded by Councilmember Pierzchala, and unanimously approved.

15. Review and Comment Regarding Mayor and Council Action Report

Mayor Marcuccio requested the State of the City Address item be moved to the spring of 2013.

Councilmember Newton noted a change in the Future Agendas to show a discussion of the Text Amendment and questioned the wording as it was to say that "the approving authority for Town Center development return to the Mayor and Council." She noted that on the Future Agendas it says "Discussion- options for a Text Amendment Town Center Approvals" and is concerned about the delay.

Councilmember Pierzchala inquired if this was intended to apply to the new JBG project that is in process. Councilmember Hall responded that he was the maker of the proposal and it was not his belief that such a text amendment would apply to an already impending matter that had been properly submitted.

16. Review and Comment Regarding Future Agendas

Councilmember Newton suggested changing the order of the attachments to the Future Agendas item going forward. The change was noted and accepted by City Clerk Barber.

Councilmember Pierzchala requested adding an item to the end of October meetings which is a discussion as to where the City stands as a body on the following items that could be accurately related to the County: Tax Duplication, Stormwater Management, MCPS issues, CCT issues, Bus Rapid Transit issues, Pepco issues, Noise Ordinance issues, Planning and Traffic cooperation with the County, Food and Health issues in Town Square, specifically open windows on restaurants, and Town Center Coordination Committee.

17. Mayor and Council Liaisons to Boards and Commissions Report

Councilmember Pierzchala announced that all members of the Mayor and Council attended Dawson's Market opening. Councilmember Newton gave thanks to Mayor Marcuccio for all of her hard work and efforts over the past year in getting this market in Town Square. Ms. Newton announced the date for the next Town Center Action Team meeting and stated information on the Duball project would be presented. Councilmember Newton noted that Mr. Rick Hood of

Dawson's Market would also be at the meeting to meet members of the community. Ms. Newton also announced she met with the first graders of Beall Elementary and responded to lots of questions which was the highlight of her week.

Councilmember Moore stated the Dawson's Market opening was the result of a classic group effort and also recognized former Councilmember Gajewski and Councilmember Britton for help in getting the Market in Town Square.

18. Old/New Business

Councilmember Pierzchala mentioned the Pepco reliability topic and has come up with a plan for fixing Pepco. Mr. Pierzchala stated everyone has a chance to comment by going to a website at www.pepcoplan.org. He went on to note that this is a three-point plan which is meant to address the human side of the problem. This was developed to get as much community input as possible and to make it as public as possible, but there has been little movement from County Council or state legislatures to say what can be done to fix the problem.

Councilmember Pierzchala hopes to bring this plan to the State legislature in January.

Councilmember Hall noted the direction to staff of a list of some issues for refinement regarding Pepco at the July 9, 2012, meeting and that the Mayor and Council did not follow up on these issues the following week. One issue that was on that list was the under grounding issue and what the City could do and Councilmember Hall requested that list be resent to the Mayor and Council. Assistant City Manager Kimball responded that staff has continued to follow up and welcomes any additional input from the Mayor and Council for improvements.

19. Adjournment

There being no further business, the meeting adjourned at 8:50 p.m.

Motion: To adjourn.

Moved by Councilmember Hall and seconded by Councilmember Pierzchala and unanimously approved.